



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Washington D.C. 20231

In re application of:)
LESTER V. BROERSMA) Examiner: David Bochna
Serial No.: 10/772,814) Art Unit: 3679
Filed: February 4, 2004)
For: AUTO-ADAPTING TUBE)
FITTING)

)

**DECLARATION OF JOHN D. BUCHACA
IN SUPPORT OF UNINTENTIONAL DELAY**

I was the attorney of record in the above-application until November, 2005. Our firm has been located at our present mailing address for well over ten years. Due to the usually high reliability of the mail during this period, I have come to rely on there being prompt delivery of all correspondence from the U.S. Patent and Trademark Office (hereinafter the "Office"). Indeed, some prior correspondence in the present application, namely, the Office Action mailed October 14, 2004; the Office Action mailed April 26, 2005; and, the Advisory Action mailed July 14, 2005, all addressed to:

CHARMASSON & BUCHACA & LEACH LLP
1545 HOTEL CIRCLE SOUTH
SUITE 150
SAN DIEGO, CA 92108-3412

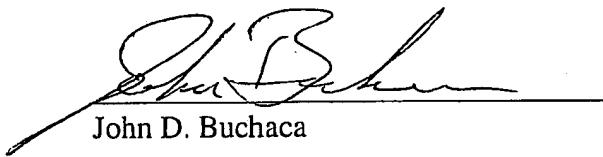
were received promptly.

An Office Action was mailed October 5, 2005 to the above address, and was to my

knowledge never received by my office. Consequently, I understand no response has been made and a Notice of Abandonment was mailed August 10, 2006. On or about August 25, 2006, I was informed by the current attorneys of record that the case was abandoned. I then began preparing the present Declaration.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: SEPTEMBER 12, 2006.



John D. Buchaca